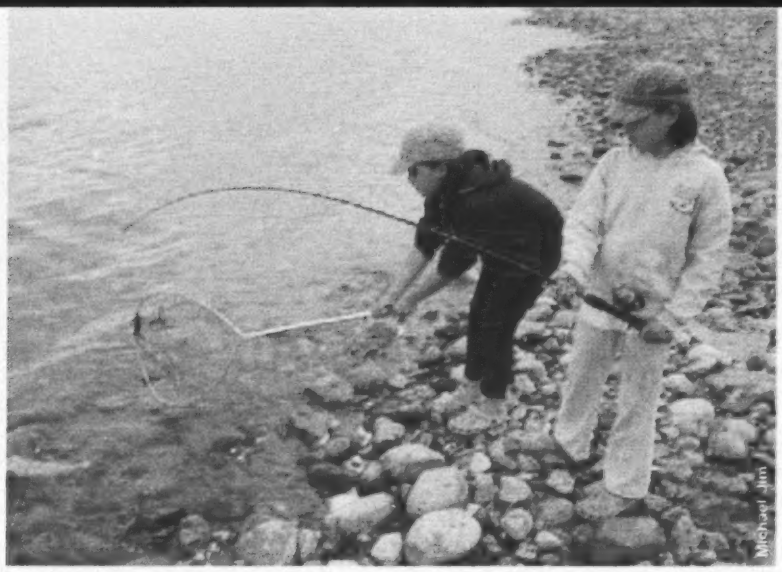
First Nations and Inuvialuit Hunting and Fishing in Yukon

Yukon
Environment



Your hunting and fishing rights and responsibilities

Your hunting and fishing rights and responsibilities depend on:

- where you plan to hunt or fish,
- which First Nations have Final Agreements, and
- the boundaries of the Traditional Territories of your own as well as other Yukon First Nations.

Most Yukon First Nations have a Final Agreement in place that sets out harvesting rights. Maps showing Traditional Territories are available on-line or at the office of your First Nation, the Council of Yukon First Nations or Environment Yukon.

This is not a legal document. It is a summary prepared by the Yukon government to help you understand the basic rules. For a fuller understanding of your rights and responsibilities, consult the First Nation Final Agreements, the Inuvialuit Final Agreement, the Gwich'in Comprehensive Claim, the Porcupine Caribou Management Agreement and/or the territorial Wildlife Act.

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On the cover: Elder Alex VanBibber and First Nation Liaison Conservation Officer Larry Bill

YG Photo

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If you are a beneficiary of a Yukon First Nation with a Final Agreement...

This booklet provides information about the hunting and fishing rights of Aboriginal people **who are beneficiaries of Yukon First Nation Final Agreements, plus the Gwich'in and Inuvialuit.**

This booket does **not** deal with any hunting and fishing rights held by Aboriginal people outside of those provided under Final Agreements. If you are an Aboriginal person who is not a beneficiary of a Final Agreement in Yukon, please contact the Environment Yukon Policy and Planning Branch or the Conservation Officer in your community for up-to-date information about your hunting and fishing rights.

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If you want to hunt or fish **inside** your Traditional Territory:

You have a right to hunt and fish for food inside the Traditional Territory of your First Nation, including any portion of your Traditional Territory that overlaps another First Nation's Traditional Territory.

- You can harvest any species, male or female, at any time of year, with no bag limits or catch limits, subject to any regulations your First Nation may have passed.
- You do not need a Yukon hunting or fishing licence to exercise your right to harvest in your Traditional Territory.
- These rights to hunt and fish for food may be limited by territorial or federal laws for the purpose of conservation, public health or public safety.
- These rights do not apply to introduced species such as elk and wood bison, or to salmon, or to the Porcupine Caribou Herd.

Tr'ondëk Hwëch'in Photo

Stefan Gothermann

Douglas Scurvey

If you want to hunt or fish **outside** your Traditional Territory:

In areas where other Yukon First Nations have Final Agreements:

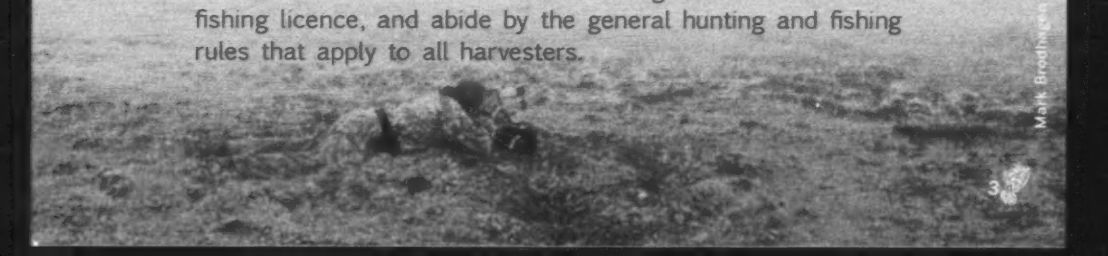
- You may do so by obtaining a Yukon hunting licence and seals or fishing licence, and abiding by the general hunting and fishing rules that apply to all harvesters, OR
- You may hunt or fish for food in that Traditional Territory while carrying **written consent** from that First Nation. In this situation you do not need to obtain a resident licence from the Yukon Government. When harvesting with this consent you must follow the laws of that First Nation. You may only hunt with such consent in an area that does not overlap with another Traditional Territory.

In overlap areas outside your Traditional Territory:

- The First Nation cannot give you permission to hunt or fish in an overlap area. In overlap areas outside your own traditional territory you must obtain a Yukon hunting licence and seals or fishing licence. You must abide by the general hunting and fishing rules that apply to all harvesters.

In areas where the First Nations have not signed Final Agreements:

- You must have a Yukon resident hunting licence and seals or fishing licence, and abide by the general hunting and fishing rules that apply to all harvesters.



Mark Brodingen

Salmon

The fishing information in this document applies to freshwater fish only. For information about salmon, which are dealt with separately under the Final Agreements, contact your First Nation or Fisheries and Oceans Canada (DFO).

Hunting the Porcupine Caribou Herd

The Porcupine Caribou Herd is under a unique management system, based on the Porcupine Caribou Management Agreement and the Porcupine Caribou Harvest Management Plan. **Your ability to hunt Porcupine Caribou depends on which First Nation you are a member of.**

The Porcupine Caribou Management Agreement allows members of the Native User Communities of Old Crow, Dawson City, Mayo, Fort McPherson, Tsiigehtchic, Aklavik, Inuvik and Tuktoyaktuk to hunt the Porcupine Caribou Herd for food. Hunting should be in accordance to the Agreement.

All other aboriginal hunters should check with their First Nation or their local Environment Yukon Conservation Officer for how and where they can harvest.

Reporting

Your First Nation (or a First Nation giving consent for you to hunt in their Traditional Territory) may require you to report any animals harvested under your right to hunt for food. Contact the applicable First Nation for more details.

Trapping for Food

Your rights to hunt and fish also apply to subsistence trapping (harvesting for food first). According to the Final Agreements, "Harvesting" means gathering, hunting, trapping or fishing. Trapping for subsistence is distinct from commercial trapping which is regulated under the *Wildlife Act*.

Introduced Species

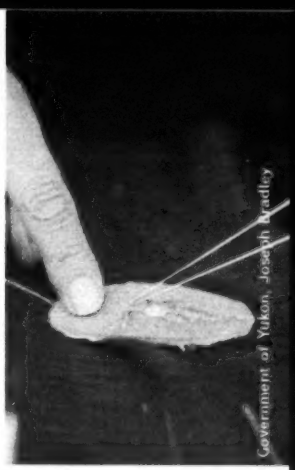
Special rules apply to wood bison and elk because they have been introduced (or transplanted) to Yukon. The hunting of these species is governed by territorial and/or federal laws. Check with Environment Yukon or your First Nation for the most current rules.

Public Safety Issues

Firearm safety is an important part of hunting.
Under the *Wildlife Act* **you cannot:**

- hunt in a way that is dangerous to people,
- hunt within 1 kilometre of a residence without permission,
- hunt in a way that is likely to cause damage to personal property, and
- have a loaded firearm in or on a vehicle ("vehicle" does not include boat).

You are also required to comply with the federal *Firearms Act*, and the regulations made under that *Act* which may have further restrictions on the transportation, storage and handling of firearms.



You should also know about...

Fishing with a gill net, fish trap or set box

Mark your name and the name of your First Nation on this type of fishing gear so Conservation Officers will know it is legal. Otherwise these items could be seized where the owner is unknown.

Hunting or fishing for food

Hunting or fishing for food includes harvesting food for yourself, your family and for ceremonial purposes such as potlatches. Generally, you can give small amounts of meat, such as a roast or two, to non-First Nation people.

Using non-edible byproducts

You may use the fur, skin, hide, antlers, horns, skeleton and other portions of the fish and wildlife you harvest for food for such domestic purposes as clothing, shelter, or medicine, and for domestic, spiritual and cultural purposes.

Traditional sharing

You can give, trade, barter or sell meat or fish obtained through your right to hunt for food, with other beneficiaries of Final Agreements or of adjacent Transboundary Agreements for domestic purposes but not for commercial purposes. You cannot trade or sell meat to non-First Nation people.

Showing proof of your rights

When you exercise your right to hunt and fish for food, a Conservation Officer or First Nations Officer or Harvest Monitor may ask you to show proof of enrollment in a First Nation Final Agreement and/or proof of consent from another Yukon First Nation to hunt or fish. **Carry it with you**. Your First Nation can provide you with proof of enrollment.

If you are a Yukon Indian Person who was over 55 years of age on the effective date of your Final Agreement, you do not have to show proof of enrollment. However, you may be asked to produce other identification.

Selling other wildlife parts

You must obtain a permit from Environment Yukon if you wish to trade, barter or sell non-edible by-products (fur pelt, moccasins) obtained through subsistence harvesting. You cannot harvest an animal for the main purpose of selling such items.

Guiding non-residents

Only individuals appropriately licensed under the *Wildlife Act* can act as a guide for non-resident hunters in Yukon. A Wilderness Tourism Licence is required to act as a guide for anglers.

Wasting meat

The Final Agreements, the *Fisheries Act* and the *Wildlife Act* prohibit the wasting of the flesh of fish and wildlife used for food by people.

If you are a beneficiary of the Gwich'in Comprehensive Claim...

- Your rights to hunt and fish in Yukon are described in Appendix C (the "Yukon Transboundary Agreement") of the Gwich'in Comprehensive Land Claim Agreement, signed in 1992.
- You have a right to hunt and fish for food in the Primary Use Area, the Secondary Use Area, and those areas of the Traditional Territory of the Na-Cho Nyäk Dun which do not overlap with any other Yukon First Nation.
- You can harvest any species, male or female, at any time of year, with no bag limits or catch limits.
- You do not need a Yukon hunting or fishing licence to exercise your right to harvest in these areas.
- Your right to hunt in the Secondary Use Area and the non-overlapped portion of the Traditional Territory of the Na-Cho Nyäk Dun is subject to regulation by the relevant Yukon First Nation.
- These rights to hunt and fish for food may be limited by territorial or federal laws for the purpose of conservation, public health or public safety. (See *Hunting the Porcupine Caribou Herd* on page 4.)

If you are a beneficiary of the Inuvialuit Final Agreement (IFA)...

- Your rights to hunt and fish in Yukon are described in the Inuvialuit Final Agreement (the "Western Arctic Claim"), signed in 1984.
- You have an exclusive right subject to any established quota to harvest furbearers and polar bears on the Yukon North Slope, and the exclusive right to harvest game within Ivvavik National Park, Herschel Island and adjacent islands.
- You have a preferential right to hunt and fish for food all species of wildlife (except migratory non-game birds and migratory insectivorous birds) on the Yukon North Slope.
- You do not need a Yukon resident hunting or fishing licence to exercise your right to harvest on the Yukon North Slope.
- These rights to hunt and fish for food may be limited by territorial or federal laws for the purpose of conservation or public safety.
- Hunting and fishing rules in Yukon outside of the North Slope Settlement area vary. Consult an Environment Yukon office or Conservation Officer for the current rules that apply to IFA Beneficiaries. (See *Hunting the Porcupine Caribou Herd* on page 4.)

Inuvialuit Final Agreement and Gwich'in Comprehensive Claim

For more information about Gwich'in and Inuvialuit rights, consult the agreement, the Inuvialuit Game Council Secretariat in Inuvik, the Tetlit Gwich'in Council office in Fort McPherson or an Environment Yukon office.

Traditional Territories of Yukon First Nations and Settlement Areas of Inuvialuit and Tetlit Gwich'in

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For more information contact your First Nation or a Conservation Officer in your community, or:

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Toll free (in Yukon): 1-800-661-0408, local 5652
Email: environmentyukon@gov.yk.ca
www.env.gov.yk.ca

First Nation Liaison Conservation Officer
Phone: (867) 667-5785

Council of Yukon First Nations
Natural Resources and Environment Department
2166 – 2nd Avenue
Whitehorse, Yukon Y1A 4P1

Phone: (867) 393-9235
www.cyfn.ca

Fisheries and Oceans Canada (DFO)
#100 – 419 Range Road
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